



Andrew M. Goldsmith
Partner

Direct Tel: 212-326-0419
Direct Fax: 212-326-0806
agoldsmith@pryorcashman.com

August 20, 2025

VIA ECF

Honorable Cheryl L. Pollak
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Rouzier et al. v. Gilles, et al., Case No. 1:25-cv-2226 (NCM-CLP)

Dear Judge Pollak:

This firm represents defendant Atlantic Recording Corporation (incorrectly sued as Atlantic Records Group) (“Atlantic”) in the above-referenced action.

For the reasons explained below, we write to respectfully request a further extension of Atlantic’s time to answer, move or otherwise respond to the Complaint from August 20, 2025 until September 30, 2025. This is Atlantic’s fifth request for an extension of time to answer, move or otherwise respond to the Complaint. This extension would provide the parties with sufficient time to complete and implement the contemplated settlement of this matter and effect a dismissal of the case as against both Atlantic and non-served defendant Damini Ogulu (“Ogulu”). While we requested plaintiffs’ consent to such extension, they have only agreed to an extension until August 29, 2025.

Plaintiffs’ agreed upon extension would not provide plaintiffs and Atlantic sufficient time to implement the contemplated settlement (which requires the fulfilment of certain executory provisions prior to the dismissal of this action as against Atlantic and Ogulu, which could be as long as some 32 days after execution). Further, the August 29 date is also inconsistent with Plaintiffs’ recent motion to file an amended complaint (a request which Atlantic has not opposed). (ECF 34-36, 38). Absent the objection of any of the other defendants (and, to date, none has appeared in this action), the Court has authorized the filing of the amended complaint on August 22, 2025, which would make Atlantic’s deadline to respond September 5, 2025 (that date also would not provide sufficient time to implement the contemplated settlement).

As noted in my August 5, 2025 letter (ECF 34), Atlantic understood that it had agreed in principle upon a resolution of this matter with the plaintiffs pursuant to which all claims against Atlantic and Ogulu would be dismissed with prejudice. Plaintiffs provided a first draft of an agreement on August 11, 2025, a week after we had agreed in principle on a resolution. Without



August 20, 2025
Page 2

divulging the substance of settlement communications, that draft included some terms that were, in our view, not consistent with our discussions with counsel. We provided our comments and a redraft on August 18. Plaintiffs then provided further changes on August 19, which we also believed had terms not consistent with our discussions. We then had several back-and-forth communications yesterday with plaintiffs' counsel about these terms. We remain hopeful that we will resolve these issues and proceed to execution of an agreement in the near future. If we cannot reach a final agreement, then Atlantic intends to file a motion to dismiss and will require some time to finalize such motion.

Granting this request will not affect any other scheduled dates, as the Initial Conference has been adjourned *sine die*. (ECF No. 26).

Finally, we apologize for not raising this matter with the Court sooner but, until yesterday afternoon, we reasonably expected for this matter to be resolved by today.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "AG", with a horizontal line extending to the right.

Andrew M. Goldsmith